

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PETER BRASKAVSKIY,)	
)	Case No. 07 C 7276
Plaintiff,)	
vs.)	
)	Judge Kendall
ELMHURST LINCOLN MERCURY, INC.,)	
)	Magistrate Judge Schenkier
Defendant.)	

MOTION FOR LEAVE TO FILE APPEARANCE AND ANSWER INSTANTER

NOW COMES the Defendant, ELMHURST LINCOLN MERCURY, INC., by and through its attorney, Stephen C. Debboli of the firm of SERPICO, PETROSINO & DI PIERO, LTD., and moves this Court the entry of an Order vacating any technical defaults and granting the Defendant leave to Appear and file its Answer by its attorneys herein and in support thereof states as follows:

1. The plaintiff filed this case on December 28, 2007 against the defendant asserting various claims regarding the plaintiff's purchase of a used automobile from the defendant.
2. The defendant was served and forwarded the Complaint to its attorneys, who subsequently reviewed the Complaint and defendant's insurance and forwarded the Complaint to the defendant's insurance carrier and was awaiting response as to coverage and choice of counsel.
3. The defendant's attorney, the undersigned advised the plaintiff's attorney of such and on or about February 18, 2008 had a phone conversation with the plaintiff's attorney, Vihar Patel to advise him that they have received a response from the carrier and that the undersigned attorney would be appearing and answering on behalf of the defendant.

4. The plaintiff's attorney indicated he had no objection to the defendant's motion herein and the defendant being granted leave to appear and answer on behalf of the defendant.

5. The defendant has a good meritorious defense to the plaintiff's claims.

WHEREFORE, the Defendant, Elmhurst Lincoln Mercury, Inc., asks this Court to enter an Order vacating any technical defaults and granting it leave to file its Appearance and Answer instant.

Respectfully submitted,

Serpico, Petrosino & DiPiero, Ltd.

s/Stephen C. Debboli

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